

	TRANSMITTAL FORM	
	Application Number	10/665,974
	Filing Date	September 18, 2003
	First Named Inventor	DEEM, MARK E.
	Art Unit	3738
	Examiner Name	Unassigned
Total Number of Pages in This Submission		Attorney Docket Number
		022128-000300US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Supplemental Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard PTO/SB/08A & PTO/SB/08B 55 Reference Copies
Remarks: The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Townsend and Townsend and Crew LLP	
Signature		
Printed name	James M. Heslin	
Date	July 19, 2005	Reg. No. 29,541

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PATENT
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7-20-05
TOWNSEND and TOWNSEND and CREW LLP

Jennifer O'Brien
Jennifer O'Brien

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

DEEM et al.

Application No.: 10/665,974

Filed: September 18, 2003

For: METHODS AND APPARATUS
FOR TREATMENT OF PATENT
FORAMEN OVALE

Examiner: Unassigned

Art Unit: 3738

SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT UNDER 37
CFR §1.97 and §1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references [in compliance with the requirements of 1287 OG 163] are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

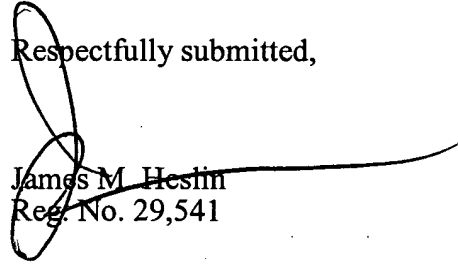
As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement.

However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,


James M. Hestlin
Reg. No. 29,541

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: 650-326-2422
JMH:tfw
60539702 v1



Substitute for form 1449A INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Complete if Known			
		Application Number	10/665,974		
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		Art Unit	3738		
Sheet	1	of	8	Examiner Name	Unassigned
				Attorney Docket Number	022128-000300US

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	1	2,275,167	03-03-1942	Bierman	
	2	2,888,928	06-02-1959	Seiger	
	3	3,490,442	01-20-1970	Streu	
	4	3,906,955	09-23-1975	Roberts	
	5	4,307,720	12-29-1981	Weber, Jr.	
	6	4,326,529	04-27-1982	Doss et al.	
	7	4,473,077	09-25-1984	Noiles et al.	
	8	4,485,817	12-04-1984	Swiggett	
	9	4,562,838	01-07-1986	Walker	
	10	4,682,596	07-28-1987	Bales et al.	
	11	4,832,048	05-23-1989	Cohen	
	12	4,884,567	12-05-1989	Elliot et al.	
	13	4,911,159	03-27-1990	Johnson et al.	
	14	4,919,129	04-24-1990	Weber, Jr. et al	
	15	4,976,711	12-11-1990	Parins et al.	
	16	4,986,889	01-22-1991	Charamathieu et al.	
	17	5,042,707	08-27-1991	Taheri	
	18	5,055,100	10-08-1991	Olsen	
	19	5,057,107	10-15-1991	Parins et al.	
	20	5,071,418	12-10-1991	Rosenbaum	
	21	5,078,717	01-07-1992	Parins et al.	
	22	5,099,827	03-31-1992	Melzer et al.	
	23	5,125,928	06-30-1992	Parins et al.	
	24	5,156,608	10-20-1992	Troidl et al.	
	25	5,171,311	12-15-1992	Rydell	
	26	5,195,959	03-23-1993	Smith	
	27	5,196,007	03-23-1993	Ellman et al.	
	28	5,197,963	03-30-1993	Parins	
	29	5,207,670	05-04-1993	Sinofsky	
	30	5,209,756	05-11-1993	Seedhom et al.	
	31	5,290,278	03-01-1994	Anderson	
	32	5,295,955	03-22-1994	Rosen et al.	
	33	5,300,065	04-05-1994	Anderson	
	34	5,336,221	08-09-1994	Anderson	
	35	5,336,252	08-09-1994	Cohen	
	36	5,342,413	08-30-1994	Hirschberg et al.	
	37	5,345,935	09-13-1994	Hirsch	
	38	5,370,675	12-06-1994	Edwards et al.	
	39	5,405,322	04-11-1995	Lennox et al.	
	40	5,409,479	04-25-1995	Dew et al.	
	41	5,409,481	04-25-1995	Poppas et al.	
Examiner Signature		Date Considered			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.
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			Art Unit	3738	
Examiner Name	Unassigned				
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		Number Kind Code ² (if known)			
	42	5,500,012	03-19-1996	Brucker et al.	
	43	5,505,730	04-09-1996	Edwards	
	44	5,571,216	11-05-1996	Anderson	
	45	5,575,772	11-19-1996	Lennox	
	46	5,584,872	12-17-1996	Lafontaine et al.	
	47	5,611,794	03-18-1997	Sauer et al.	
	48	5,662,643	09-02-1997	Kung et al.	
	49	5,665,109	09-09-1997	Yoon	
	50	5,713,891	02-03-1998	Poppas	
	51	5,730,742	03-24-1998	Wojciechowicz	
	52	5,749,895	05-12-1998	Sawyer et al.	
	53	5,782,899	07-21-1998	Imran	
	54	5,814,065	09-29-1998	Diaz	
	55	5,827,265	10-27-1998	Glinsky et al.	
	56	5,846,196	12-08-1998	Siekmeyer et al.	
	57	5,855,312	01-05-1999	Toledano	
	58	5,871,443	02-16-1999	Edwards et al.	
	59	5,925,078	07-20-1999	Anderson	
	60	5,944,738	08-31-1999	Amplatz et al.	
	61	5,972,023	10-26-1999	Tanner et al.	
	62	5,972,024	10-26-1999	Northrup, III et al.	
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	65	6,056,760	05-02-2000	Koike et al.	
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	70	6,132,429	10-17-2000	Baker	
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	73	6,168,594	01-02-2001	Lafontaine	
	74	6,221,068	04-24-2001	Fried et al.	
	75	6,257,241	07-10-2001	Wampler	
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	80	6,401,720	06-11-2002	Stevens et al.	
	81	6,419,669	07-16-2002	Frazier et al.	
	82	6,436,088	08-20-2002	Frazier et al.	
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			Art Unit	3738
Examiner Name	Unassigned			
Sheet 3	of 8	Attorney Docket Number	022128-000300US	

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	83	6,456,865	09-24-2002	Samson	
	84	6,458,100	10-01-2002	Roue et al.	
	85	6,482,224	11-19-2002	Michler et al.	
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	91	6,589,237	07-08-2003	Woloszko	
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	94	6,645,202	11-11-2003	Pless et al.	
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	97	6,652,518	11-25-2003	Wellman	
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	113	2003/0028189	02-06-2003	Woloszko et al.	
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	120	2003/0120268	06-26-2003	Bertolero et al.	
	121	2003/0144652	07-31-2003	Baker et al.	
	122	2003/0144694	07-31-2003	Chanduszko et al.	
	123	2003/0158551	08-21-2003	Paton et al.	
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		Number Kind Code ² (if known)			
	124	2003/0225421	12-04-2003	Peavey et al.	
	125	2003/0233091	12-18-2003	Whayne et al.	
	126	2004/0098031	05-20-2004	Van der Burg et al.	
	127	2004/0098042	05-20-2004	Deveilian et al.	
	128	2004/0102721	05-27-2004	Mckinley	
	129	2004/0143292	07-22-2004	Marino et al.	
	130	2004/0153057	08-05-2004	Davison	
	131	2004/0153098	08-05-2004	Chin et al.	
	132	2004/0176799	09-09-2004	Chanduszko et al.	
	133	2004/0220596	11-04-2004	Frazier et al.	
	134	2004/0249398	09-04-2004	Ginn	
	135	2005/0021059	01-27-2005	Cole et al.	
	136	2005/0033288	02-10-2005	Auth et al.	
	137	2005/0033327	02-10-2005	Gainor et al.	
	138	2005/0055050	03-10-2005	Alfaro	
	139	2005/0065506	03-24-2005	Phan	
	140	2005/0065509	03-24-2005	Coldwell et al.	
	141	2005/0070923	03-31-2005	Mcintosh	
	142	2005/0119675	06-02-2005	Adams et al.	
	143	RE33925	05-12-1992	Bales et al.	

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		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
	144	EP	135840	A2	04-13-1985	Nelcor Incorp.		<input type="checkbox"/>
	145	EP	199694	A2	10-29-1986	Astra-Tech Aktiebolag		<input type="checkbox"/>
	146	EP	0265532	A1	05-04-1988	Fukuda Denshi Co. Ltd		<input type="checkbox"/>
	147	EP	0375556	A1	06-27-1990	Stmi Soc Tech Milieu Ionisant		<input checked="" type="checkbox"/>
	148	EP	0428812	A1	05-29-1991	Consiglio Nazionale Delle Ricerche		<input type="checkbox"/>
	149	EP	0947165	A1	10-06-1999	Nissho KK		<input type="checkbox"/>
	150	GB	1260919		01-19-1972	Spitalul Clinic De Obstetrica Si Ginecolo- Gie Polizu		<input type="checkbox"/>
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		Country Code ³	Number ⁴	Kind Code* (if known)				
	151	GB	1550676		08-15-1979	Victers Ltd		<input type="checkbox"/>
	152	GB	2 359 024	A	08-15-2001	Anson Medical Inc		
	153	WO	85/00018	A1	01-03-1985	Medical Developments Limited		
	154	WO	87/04081	A1	07-16-1987	Licencia Talamanyokat		
	155	WO	90/04352	A1	05-03-1990	Nellcor Incorp.		
	156	WO	91/15996	A1	10-31-1991	Egnell Ameda Limited		
	157	WO	92/04864	A1	04-02-1992	Merwe Marius V D		
	158	WO	93/05705	A1	04-01-1993	Surgic-Raft Limited		
	159	WO	93/15791	A1	08-19-1993	Dimed Inc.		
	160	WO	94/00178	A1	01-06-1994	Schneider USA Inc.		
	161	WO	98/07375	A1	02-26-1998	Univ Columbia		
	162	WO	99/18870	A1	04-22-1999	Hearten Medical Inc.		
	163	WO	99/18862	A1	04-22-1999	Hearten Medical Inc.		
	164	WO	99/18864	A1	04-22-1999	Hearten Medical Inc.		
	165	WO	00/07506	A2	02-17-2000	Anson Medical Ltd		
	166	WO	00/09027	A1	02-24-2000	Keravision, Inc.		
	167	WO	01/78596	A1	10-25-2001	Appriva Medical Inc		
	168	WO	03/022159	A1	03-20-2003	Core Medical Inc		
	169	WO	03/022160	A1	03-20-2003	Core Medical Inc		
	170	WO	03/026496	A2	04-03-2003	Ethicon, Inc		
	171	WO	03/071957	A2	09-04-2003	Integrated Vascular (Abbott)		
	172	WO	03/082076	A2	10-09-2003	NMT Medical Inc		
	173	WO	03/094742	A1	11-20-2003	Velocimed LLC		
	174	WO	2004/019791	A2	03-11-2004	Scimed Life Systems Inc		
	175	WO	2004/082532	A1	09-30-2004	EV3 Sunnyvale Inc.		
	176	WO	2004/091411	A2	10-28-2004	Velocimed PFO Inc		
	177	WO	2005/006990	A2	01-27-2005	NMT Medical Inc		

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		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
	178	WO	2005/027753	A1	03-31-2005	St Jude Medical		
	179	WO	2005/034738	A2	04-21-2005	Proximare Inc		

Examiner Signature		Date Considered	
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			Application Number	10/665,974	
			Filing Date	September 18, 2003	
			First Named Inventor	DEEM, MARK E.	
			Art Unit	3738	
			Examiner Name	Unassigned	
Sheet	7	of	8	Attorney Docket Number	022128-000300US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	180	ANZOLA et al., "Potential Source of Cerebral Embolism in Migraine with Aura," <i>Neurology</i> (1999) 52(8): 1622	
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	194	STUART, "What's All the Flap About PFO Closure?," <i>Start-Up: Windhover's Review of Emerging Medical Ventures</i> , (Nov 10, 2004), pp. 9-14	
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